

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

COY PHELPS
Petitioner

-v-

DAVID WINN, et.al.
DAVID WINN, et.al.
SARA RASMUSSEN, et.al.
HOWARD HAAS, et.al.
HOWARD HAAS, et.al.
DAVID REYNOSO, et.al.
ROBERT LANZA, et.al.
SHAWN CHANNEL, et.al.
Respondents

(Case No: 05-40003-GAO
(05-40042-GAO
(06-40011-GAO
(06-40082-GAO
(06-40090-GAO
(06-40143-GAO
(06-
(PETITIONER'S WAIVER OF APPEARANCE
(FOR PRE-TRIAL MATTERS AND MOTION
(FOR TELEPHONIC OR VIDEO
(CONFERENCING
(
(Date: 3/5/2007


The above petitioner moves this court to allow him to remain at the Federal Medical Center federal facility at Devens Massachusetts on all pre-trial matters in the above actions and allow him to participate in the pre-trial proceedings, if appearance is necessary, by telephonic or video conferencing.

Telephonic or video conferencing would be more economical for the government and would save the government time and energy of moving, or transporting, the petitioner from one place to another.

Transporting the petitioner for pre-trial matters would burden the petitioner in that he has restricted mobility because of two strokes, a spinal injury and nerve damage, and he has a cardiac problem.

Telephonic or video conferencing would not burden the government because the electronic devices are already established and has been utilized previously in other cases.

Date; 3/5/2007


COY PHELPS 78872-011
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P.O. BOX 879
AYER, MASSACHUSETTS
01432

In Pro Se

CERTIFICATE OF SERVICE

I, COY PHELPS, certify under penalty of perjury, pursuant to 28 USC 1746, that I placed a copy of this action into separate correctly addressed envelopes, affixed with proper and adequate first-class U.S. Postage, and deposited the pre-paid envelopes into the prison mail-box, or gave the pre-paid envelopes to a prison official, on the date indicated below, to be delivered to the following:

1. JENIFER C. BOAL, AUSA., U.S. Attorneys Office, 1 Courthouse Way, Suite 9200, Boston, Massachusetts 02210

2.

3.

4.

5.

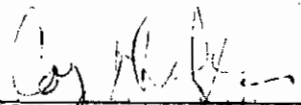
6.

7.

8.

9.

DATE: 3/5/2007


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HOUSTON v LACK, 1988, 487 US 266 (papers deemed filed when deposited in a prison mail-box or given to a prison official.)
WILLIAMS v WADE, WD Wis 2005, 354 FS2d 894 (Rule applies to Service of Process also.)